

**ORDINANCE 2019-01**

**AN ORDINANCE ADOPTING A POLICY FOR NONRESIDENT CARDS**

WHEREAS, the Fox River Valley Public Library District is a tax-supported public library (Library District) operating pursuant to the Public Library District Act, 75 ILCS 16/1-*et seq.* (the Act) for the benefit of its residents and tax payers; and

WHEREAS, residents of the Library District are eligible to receive a library card; and

WHEREAS, the Act provides that the Board of Library Trustees of the Library District may allow nonresidents to purchase a library card, i.e., the Act provides "The board may extend the privileges and use of the library, including the borrowing of materials on an individual basis by persons residing outside the district" (75 ILCS 16/30-55.60); and

WHEREAS, the Act provides "A person residing outside of a public library service area must apply for a non-resident library card at the public library closest to the person's principal residence" (75 ILCS 16/30-55.60); and

WHEREAS, given the proximity of the boundaries/service areas of nearby Public Libraries, there are no 'nonresidents', i.e., there are no persons in the vicinity of the Library District residing in areas without public library service; and

WHEREAS, the Illinois Administrative Code provides that the Board shall decide annually whether to issue nonresident library cards and, if so, the fee for such cards (23 IL ADC 3050); and

WHEREAS, given the lack of nonresidents under the circumstances described above, there is no need for the Library District to determine a fee for nonresidents; and

WHEREAS, there may be persons residing outside of Library District boundaries who own taxable property within Library District boundaries; and

WHEREAS, an exception to charging a nonresident fee applies to "a nonresident who, as an individual or as a partner, principal stockholder, or other joint owner, owns or leases property that is taxed for library service or is a senior administrative officer of a firm, business, or other corporation owning taxable property within the district, upon presentation of the most recent tax bill upon that taxable property or a copy of the commercial lease of that taxable property." (75 ILCS 16/30-55.60)

WHEREAS, the Library District wishes to provide library services in accordance with the Act to persons residing outside of Library District boundaries who own or lease taxable property within Library District boundaries.

NOW, THEREFORE, BE IT ORDAINED by the Board of Library Trustees of the Fox River Valley Public Library District, Kane County, Illinois as follows:

Section 1. A nonresident who owns or leases taxable property in the Library District is entitled to receive a library card in accordance with the Act;

Section 2. This Ordinance is effective immediately.

PASSED by the Board of Library Trustees of the Fox River Valley Public Library District, Kane County, Illinois, on this 15<sup>th</sup> day of January 2019, by a vote of:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
Richard V. Corbett, President  
Board of Library Trustees of the Fox River Valley  
Public Library District, Kane County, Illinois

ATTEST:

\_\_\_\_\_  
Nikki Kuhlman, Secretary  
Board of Library Trustees of the Fox River Valley  
Public Library District, Kane County, Illinois